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Attorneys for State of Montana and

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Defendant-Intervenor

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

CROW INDIAN TRIBE; et al.,
Plaintiffs,

vs.

UNITED STATES OF AMERICA; et al.

Federal-Defendants,

and

STATE OF WYOMING,

Defendant-Intervenor.

CV 17-89-M-DLC

(Consolidated with Case Nos.

CV-17-117-M-DLC,

CV-17-118-M-DLC,

CV-17-119-M-DLC,

CV-17-123-M-DLC,

And CV-18-16-M-DLC)

**STATE OF MONTANA AND
MONTANA DEPARTMENT OF
FISH, WILDLIFE AND PARKS'
NOTICE OF APPEAL**

Pursuant to Federal Rules of Appellate Procedure 3 and 4(a)(1)(B), notice is hereby given that State of Montana and Montana Department of Fish, Wildlife and Parks, Defendant-Intervenor in the above-named case, hereby appeal to the U.S. Court of Appeals for the Ninth Circuit from this Court's judgment (Doc. No. 275) and Order granting Plaintiffs' motions for summary judgment, denying Defendants' cross motions for summary judgment, and vacating and remanding the Final Rule delisting the Greater Yellowstone Ecosystem grizzly bear (Doc. No. 266).

Defendant-Intervenor State of Montana and Montana Department of Fish, Wildlife and Parks filed answers in four of the six district court cases (Wild Earth Guardians (CV 17-118-M-DLC), Northern Cheyenne Tribe *et al.* (CV 17-119-M-DLC), Alliance for the Wild Rockies (CV 17-123-M-DLC), and the Humane Society of the United States *et al.* (CV 17-117-M-DLC)).

In accordance with Ninth Circuit Rule 3-2, a Representation Statement is attached to this notice.

Respectfully submitted this 21st day of December 2018.

/s/ William A. Schenk
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Agency Legal Counsel

Rebecca Dockter
Chief Legal Counsel

Tim Fox
Attorney General of Montana

Jeremiah Weiner
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CERTIFICATE OF SERVICE

I hereby certify that, this 21st day of December, 2018, I electronically filed the foregoing documents with the Clerk of the Court via CM/ECF system, which will send notification to the attorneys of record.

/s/ William A. Schenk
William A. Schenk
Agency Legal Counsel